

Attorney Docket # 5255-32PRCE

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Application of

Hubert ELMER et al.

Serial No.: 10/509,822

Filed: September 30, 2004

For: Separating Wall

Examiner: CHAPMAN, J. E.
Group Art: 3635

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

August 18, 2008

(Date of Deposit)

Alfred W. Froehrich

Name of applicant, assignee or Registered Representative

Signature

August 18, 2008

Date of Signature

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

SIR:

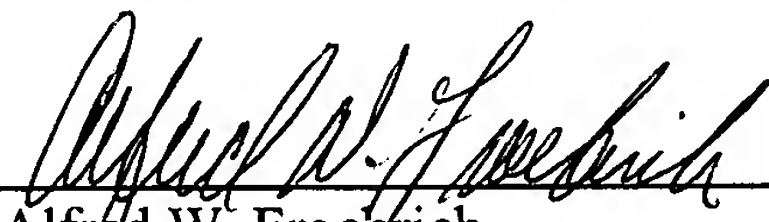
Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision dated April 18, 2008 of the Primary Examiner twice or finally rejecting claims 10-14 and 17-21.

The items checked below are appropriate:

1. ☒ The time for response to the Office Action of April 18, 2008 expires on July 18, 2008.
2. ☐ A -month extension of time for response to the Office Action dated was filed on . [No additional extensions of time are required.]
- 3a. ☒ Applicants hereby request a one-month extension of the original shortened statutory response period set in the Office Action of April 18, 2008. Payment in the amount of \$120 for the government fee for an extension of time is enclosed herewith.

- 3b. ☐ This is not the first request for an extension of time relative to the outstanding paper. The period for response has already been extended by -month(s) by petition dated . Please extend the time for response by an additional -month(s). With this extension, the deadline for filing the required paper will be . Payment for the additional extension fee of \$ is enclosed.
4. ☒ Check for payment of the appeal fee of \$510.00 and any other fee applicable
☒ is enclosed herewith.
☐ No additional fee is required (fee paid in prior appeal).
☐ Charge the fee to Deposit Account No. 03-2412 (one additional copy of this Notice is enclosed herewith).
5. ☒ Charge any additional fees required, for example, for lodging this appeal or for filing the Appeal Brief, not otherwise paid by check, to Deposit Account No. 03-2412. A duplicate copy of this sheet is enclosed.

Respectfully submitted,
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Dated: August 18, 2008